

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 8/24/18

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SRISUWAN TANGTIWATANAPAIBUL, et al. :
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Plaintiffs, : 17 Civ. 816 (LGS)
:
-against- : **ORDER**
:
TOM & TOON INC., et al. :
:
Defendants. :
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on August 2, 2018, Magistrate Judge Katharine H. Parker issued a Report and Recommendation to dismiss the claims of Plaintiff Raymond Beltran without prejudice for failure to participate in this action;

WHEREAS, Plaintiffs' counsel filed a certificate of service on August 9, 2018, attesting that the Report and Recommendation was served upon Beltran the same day;

WHEREAS, no timely objection was filed;

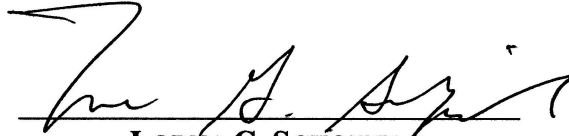
WHEREAS, "[i]n reviewing an R & R of a magistrate judge, a district judge 'may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.' 28 U.S.C. § 636(b)(1). A district judge is required to 'make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge's disposition to which specific written objection has been made' by any party. Fed. R. Civ. P. 72(b). 'But, where no timely objection has been made, the 'district court need only satisfy itself that there is no clear error on the face of the record' to accept the R & R.' *J & J Sports Prod., Inc. v. El Ojo Aqua Corp.*, No. 13 Civ. 6173, 2014 WL 4699704, at *1 (E.D.N.Y.

Sept. 22, 2014) (quoting *Urena v. New York*, 160 F. Supp. 2d 606, 609–10 (S.D.N.Y. 2001)).

WHEREAS, the Court finds no clear error on the face of the record. It is hereby

ORDERED that the Report and Recommendation is adopted, confirmed and approved in all respects. Plaintiff Beltran's claims are dismissed without prejudice for failure to prosecute.

Dated: August 24, 2018
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE